

Order

Michigan Supreme Court
Lansing, Michigan

January 29, 2007

Clifford W. Taylor,
Chief Justice

128620(31)

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

AMERIGO PALARCHIO, as Conservator
and Guardian of LINDA PALARCHIO,
a legally incapacitated person,
Plaintiff-Appellee,

v

SC: 128620
COA: 258847
Wayne CC: 02-238086-NF

AUTOMOBILE CLUB INSURANCE
ASSOCIATION,
Defendant-Appellant.

On order of the Court, the motion for reconsideration of this Court's November 3, 2006 order is considered. In lieu of granting the motion, we clarify that this case is remanded to the Wayne Circuit Court only for reconsideration of its decision regarding room and board expenses. In all other respects, leave to appeal is denied, because we are not persuaded that the remaining question presented should be reviewed by this Court.

WEAVER, J., dissents and states as follows:

I dissent from the order remanding this case to the trial court only for reconsideration of its decision regarding room and board expenses.

I would grant reconsideration and would grant leave to appeal in this case to reconsider *Griffith v State Farm Mut Automobile Ins Co*, 472 Mich 521 (2005).

KELLY, J., would grant reconsideration and, on reconsideration, would grant leave to appeal to reconsider *Griffith v State Farm Mut Automobile Ins Co*, 472 Mich 521 (2005).



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 29, 2007

Corbin R. Davis

Clerk